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(12) **United States Design Patent** (10) **Patent No.:** **US D768,374 S**  
**Roulo** (45) **Date of Patent:** **\*\* Oct. 11, 2016**

(54) **SHOE UPPER**

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(\*\*) Term: **14 Years**

(21) Appl. No.: **29/523,180**

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(51) **LOC (10) Cl.** ..... **02-99**

(52) **U.S. Cl.**  
USPC ..... **D2/972**

(58) **Field of Classification Search**  
USPC ..... D2/902, 906-908, 944, 969, 972-974;  
D5/47

CPC A43B 13/181; A43B 13/141; A43B 13/186;  
A43B 13/188; A43B 23/00; A43B 23/02;  
A43B 5/00; A43B 23/26; A43B 1/04; A43B  
11/14; A43B 7/00; A43C 1/00; A43C 11/00

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D297,884 S	10/1988	Brown et al.	
D329,126 S *	9/1992	Hatfield	D2/972
D335,016 S *	4/1993	Lozano	D2/969
D335,207 S *	5/1993	Lucas	D2/969
D392,792 S *	3/1998	Obi	D2/969
D401,741 S *	12/1998	Clarke	D2/972
D410,140 S *	5/1999	Joseph	D2/969
D423,207 S *	4/2000	Selbiger	D2/972
D423,768 S *	5/2000	Hewett	D2/969
D424,292 S *	5/2000	Besanceney, III	D2/902
D429,413 S *	8/2000	Fogg	D2/972
D430,723 S *	9/2000	Kim	D2/902
D440,389 S *	4/2001	Lozano	D2/972
D446,640 S	8/2001	Estey	
D449,731 S *	10/2001	Roulo	D2/972
D452,369 S *	12/2001	Roulo	D2/973
D459,868 S *	7/2002	McCourt	D2/972
D460,252 S *	7/2002	Smith	D2/972

D463,099 S	9/2002	Roulo
D479,036 S	9/2003	Matis
D491,718 S	6/2004	Link
D507,865 S	8/2005	McDowell
D514,797 S	2/2006	Gerber
D523,221 S	6/2006	Portzline
D523,624 S	6/2006	Kuerbis
D529,271 S	10/2006	Kuerbis
D532,964 S	12/2006	Kuerbis
D540,025 S	4/2007	Shaffer

(Continued)

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 2001 Late Spring Men's and Women's Footwear (white cover), p. 23, published Sep. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, 2001 Spring Men's and Women's Footwear (black shoes), p. 13, published Jun. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, 2003 Holiday Men's, Women's, and Kids' Footwear, p. 74, published Mar. 2003, NIKE, Inc., USA.

(Continued)

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(57) **CLAIM**

The ornamental design for a shoe upper, as shown and described.

**DESCRIPTION**

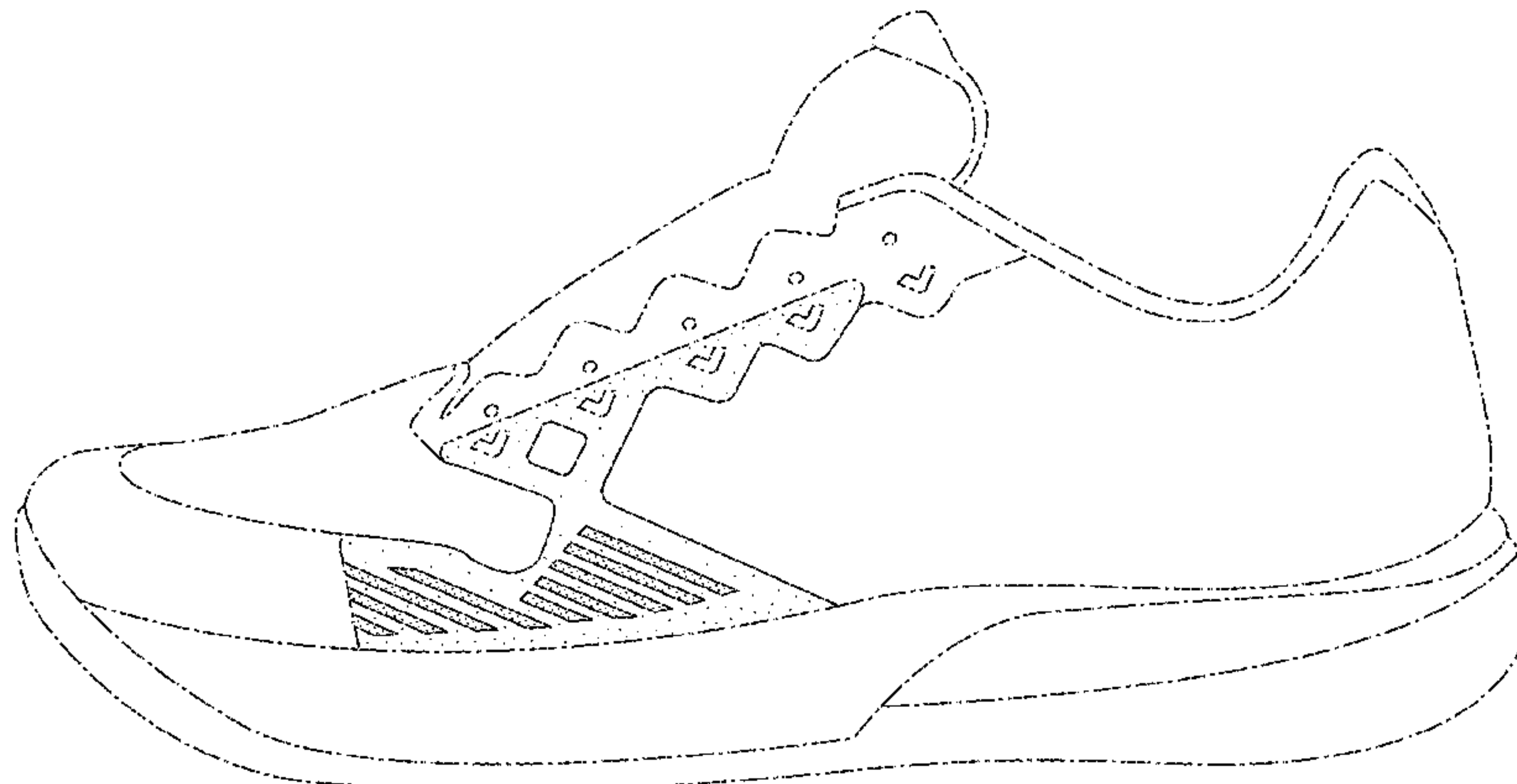
FIG. 1 is a front perspective view of a shoe upper showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a rear perspective view thereof.

The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The five unshaded regions within or adjacent to the shaded area form no part of the claimed design. The broken lines showing the remainder of the shoe are for environmental purposes only and form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



(56)

References Cited

OTHER PUBLICATIONS

U.S. PATENT DOCUMENTS

D551,842 S \* 10/2007 Kuerbis ..... D2/972  
D573,338 S 7/2008 Stauffer  
D595,496 S 7/2009 Mayden  
D595,950 S 7/2009 Mayden  
D623,842 S 9/2010 Yun  
D624,296 S 9/2010 Henderson  
D636,592 S 4/2011 Dekovic  
D643,617 S 8/2011 Caine  
D649,762 S 12/2011 Wilken et al.  
D649,769 S 12/2011 Thornhill  
D649,770 S 12/2011 Thornhill  
D668,441 S 10/2012 Shaffer  
D682,535 S 5/2013 Dekovic  
D683,534 S 6/2013 Williams, Jr.  
D683,948 S 6/2013 Shyllon  
D693,110 S 11/2013 Miner  
D714,532 S 10/2014 Miner

Nike Footwear Catalog, 2006 Late Spring Footwear, p. 136, published Sep. 2005, NIKE, Inc., USA.  
Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 98, published May 2008, NIKE, Inc., USA.  
Nike Footwear Catalog, 2012 Fall Women's Performance Footwear, p. 38, published Nov. 2011, NIKE, Inc., USA.  
Nike Footwear Catalog, 2012 Holiday Men's Sportswear Footwear Best, p. 14, published Feb. 2012, NIKE, Inc., USA.  
Nike Footwear Catalog, 2014 Holiday Men's Performance Footwear, p. 6, published Feb. 1, 2014, NIKE, Inc., USA.  
Nike Footwear Catalog, 2014 Summer Men's Footwear Performance, p. 29, published Aug. 14, 2013, NIKE, Inc., USA.  
Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 21, published May 14, 2014, NIKE, Inc., USA.

\* cited by examiner

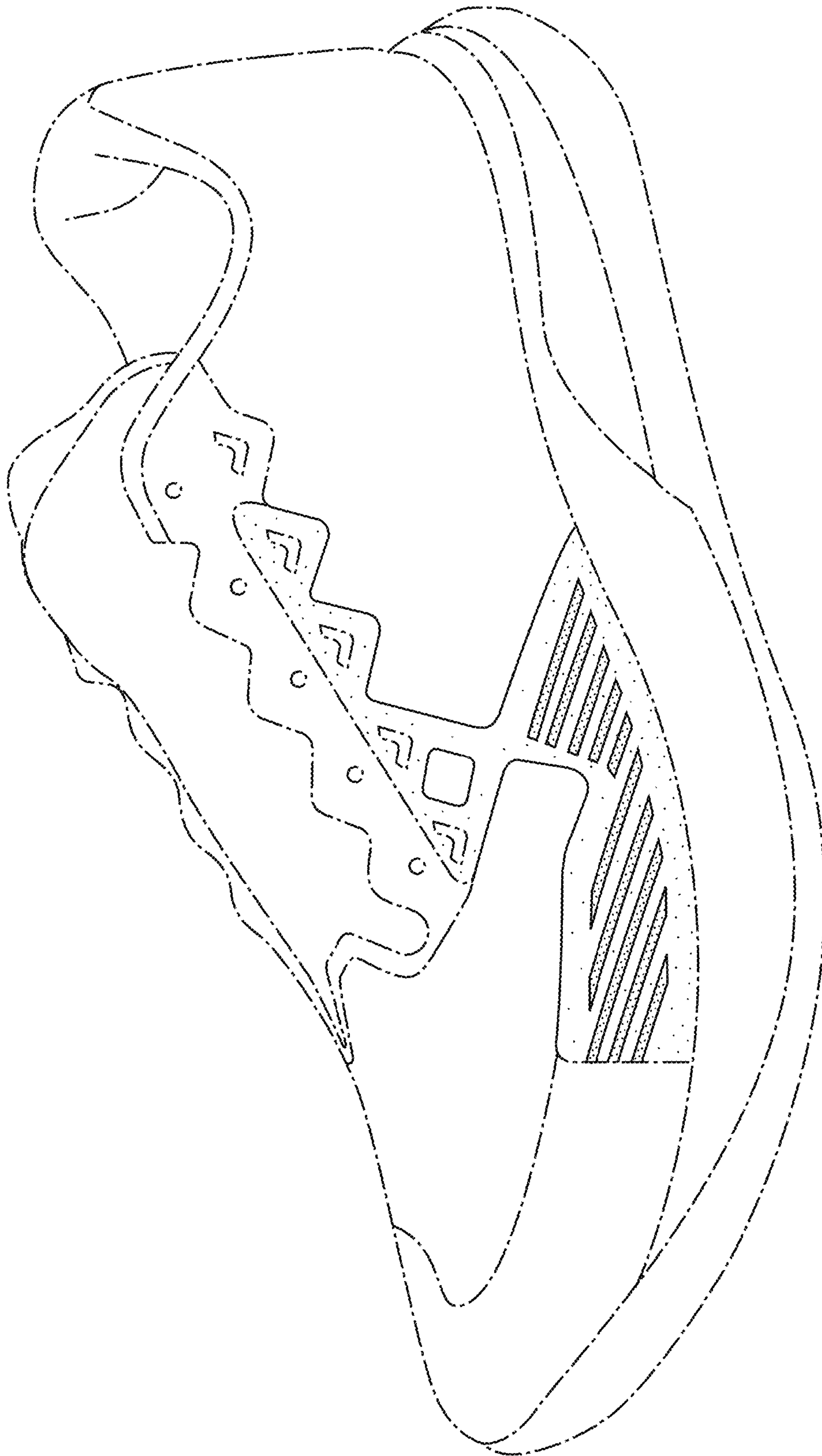


FIG. 1

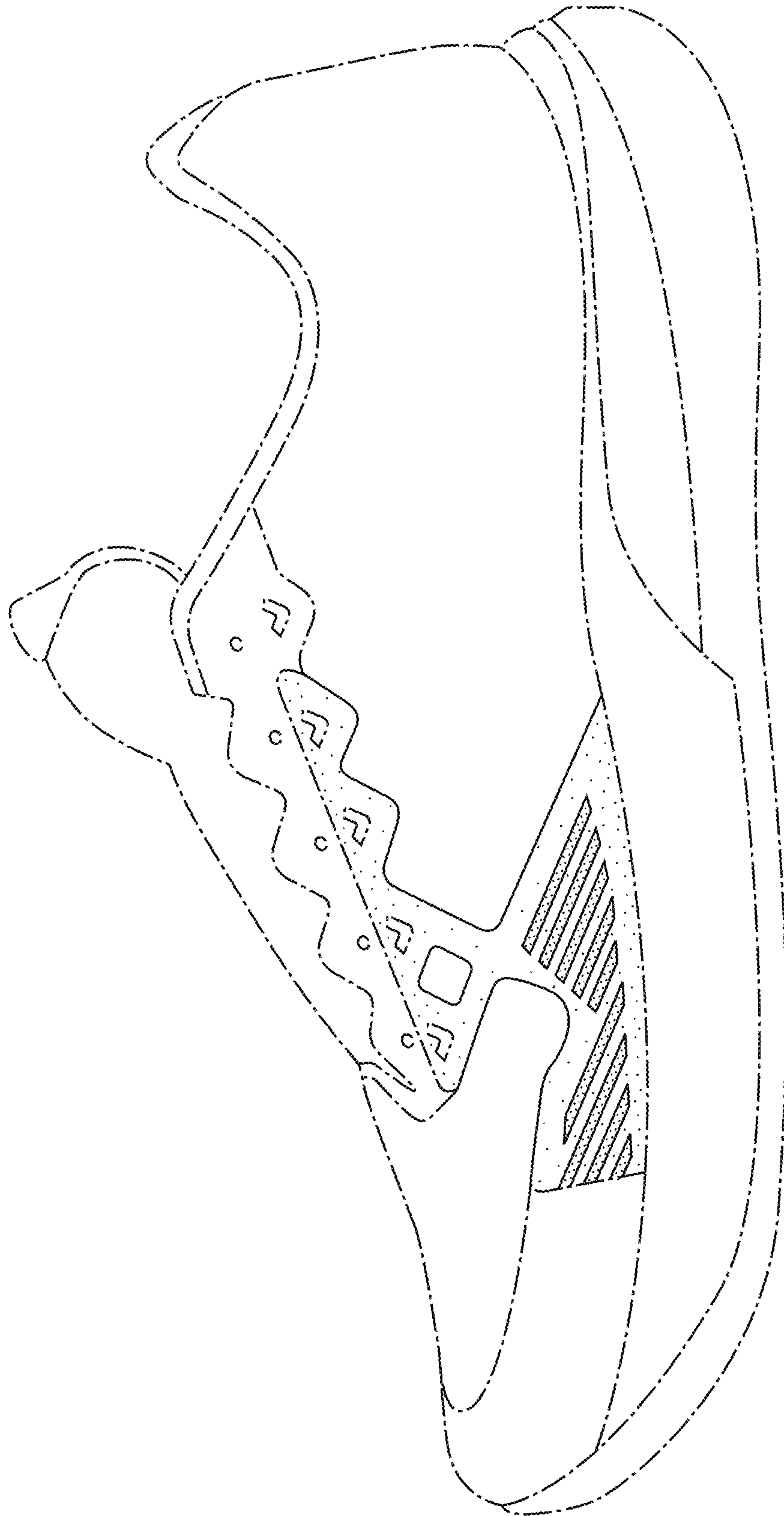


FIG. 2



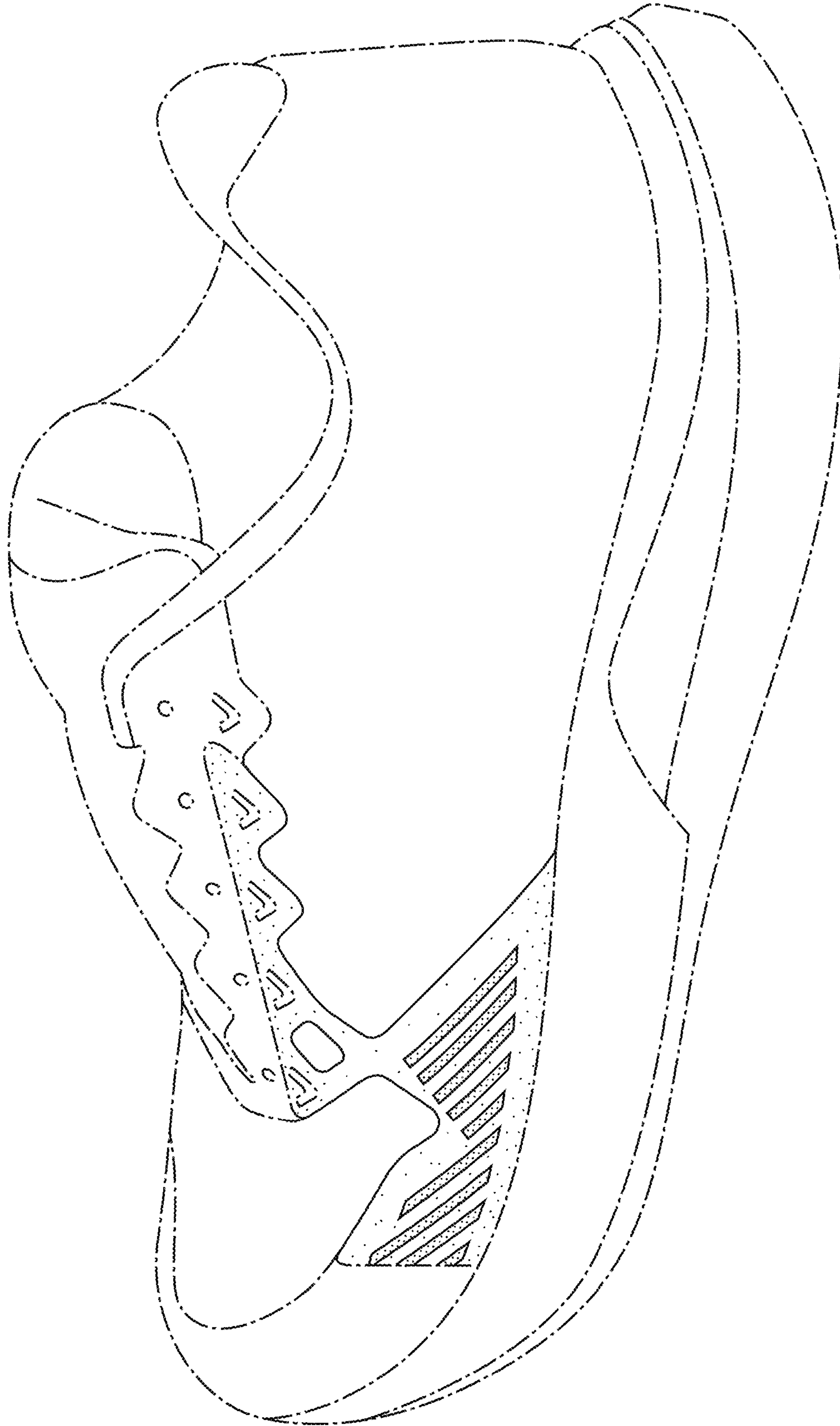


FIG. 3